

Docket No. 87304.1860

## Patent



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Application of:

Thomas M. GOLNER *et al.*

Application No.: 10/017,381

Filed: December 18, 2001

For: APPARATUS AND METHOD FOR CONTROLLING THE TEMPERATURE OF THE CORE OF A SUPER-CONDUCTING TRANSFORMER)

Group Art Unit: 2832

Examiner: Tuyen T. Nguyen

## RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Restriction Requirement mailed June 21, 2005, the period for response being extended by the attached Petition of Time, Applicants hereby provisionally elect Group I (claims 1-8). This rejection is made with traverse.

It is respectfully submitted that the subject matter of claims 1-8 is sufficiently related to claims 9-16 (Group II) and claims 17-21 (Group III), that a thorough search for the subject matter of Group I claims would necessarily encompass a search and examination of the entire application without any serious burden. Specifically, and equivocally, MPEP § 803, clearly states that “if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.” (Emphasis added.)

Therefore, it is respectfully submitted that this policy should adhere in the present application to avoid unnecessary delay and expense to the Applicants in duplicative examination

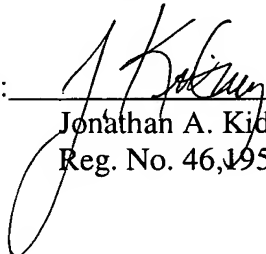
by the Patent Office. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the restriction requirement, and to examine all of the claims in this application.

Please charge any fee deficiency or credit any overpayments to deposit account number 52-2036.

Respectfully submitted,

Baker & Hostetler LLP

By: \_\_\_\_\_

  
Jonathan A. Kidney  
Reg. No. 46,195

Washington Square, Suite 1100  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5304  
Telephone: 202-861-1500  
Facsimile: 202-861-1783  
Dated: July 25, 2005